

UNITED STATES DEPARTMENT OF JUSTICE
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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

	:	Case No. 19-17748 (KCF)
In re:	:	Chapter 7
	:	
Michael Ramos and	:	
Daphne Y. Ramos,	:	The Honorable Kathryn C. Ferguson
	:	
Debtors.	:	
	:	

**APPLICATION FOR THE ENTRY OF A CONSENT ORDER EXTENDING TIME TO
FILE A MOTION TO DISMISS CASE UNDER 11 U.S.C. § 707(b)(1) AND (3) AND
EXTENDING TIME TO FILE A COMPLAINT OBJECTING TO DISCHARGE UNDER
11 U.S.C. § 727 TO JANUARY 14, 2020**

The Acting United States Trustee, by and through counsel, in furtherance of his duties and responsibilities under 28 U.S.C. § 586 (a)(3) and (5), hereby respectfully submits this Application for the entry of the Consent Order Extending Time to File a Motion to Dismiss Case Under 11 U.S.C. § 707(b)(1) and (3) and Extending Time to File a Complaint Objecting to Discharge Under 11 U.S.C. § 727 to January 14, 2020.

In support of this Application, the Acting United States Trustee (“UST”) respectfully represents as follows:

1. On April 16, 2019, Michael Ramos and Daphne Y. Ramos (“Debtors”) filed a voluntary petition for relief under chapter 7 of title 11 of the United States Code.

2. On April 17, 2019, Karen E. Bezner, Esq. was appointed as the chapter 7 trustee (“Trustee”). The meeting of creditors pursuant to 11 U.S.C. § 341(a) was scheduled for May 15, 2019.

3. The deadline to oppose discharge or dischargeability was initially set for July 15, 2019.

4. On July 11, 2019, the Trustee filed a motion to extend the time to file a complaint objecting to discharge under 11 U.S.C. § 727 or to file a motion to dismiss case under U.S.C. § 707(b) to October 13, 2019 (“Motion to Extend Time”), which included the UST. On August 7, 2019, the Trustee’s Motion to Extend Time was granted extending time to October 13, 2019.

5. An independent review conducted by the Office of the United States Trustee of the Debtors’ Petition, Schedules, Statement of Financial Affairs, and Means Test identified this case as a possible candidate for dismissal pursuant to U.S.C. § 707(b)(1) and (3) or objection to discharge under 11 U.S.C. § 727.

6. On July 12, 2019, the UST, by and through counsel, issued a *Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Bankruptcy Case (or Adversary Proceeding)* (“Subpoena”) to the Debtors seeking information related to the Debtors’ income, monthly expenses, assets, and liabilities. Documents were due by July 29, 2019, pursuant to the Subpoena.

7. The OUST’s analysis of the Debtors’ documents prompted the need for a Rule 2004 Examination of the Debtors.

8. The Rule 2004 Examination of the Debtors was conducted on October 3, 2019.

9. At the conclusion of the Rule 2004 Examination, the UST secured the consent of Debtors’ counsel to further extend the time to file a motion to dismiss for abuse under 11 U.S.C. § 707(b)(1) and (3) and to further extend the time to file a complaint objecting to discharge under 11 U.S.C. § 727 for approximately 90 days to **January 14, 2020**.

10. As discovery in this case is continuing, the UST respectfully requests the entry of the attached proposed consent order.

Respectfully submitted,
ANDREW R. VARA
ACTING UNITED STATES TRUSTEE
REGION 3

By: /s/Michael A. Artis
Michael A. Artis
Trial Attorney

DATED: October 9, 2019